

When Recorded, Return to:  
City of Lodi  
City Clerk's Office  
P.O. Box 3006  
Lodi, CA 95241-1910

RESOLUTION NO. 2003-19

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LODI  
FINDING THAT PUBLIC INTEREST AND NECESSITY REQUIRE  
THE ACQUISITION FOR THE LOWER SACRAMENTO ROAD  
WIDENING PROJECT PURPOSES A PORTION OF THE  
PROPERTY OWNED BY ANTONIO R. VALENTINE AND MENARDA  
N. VALENTINE, TRUSTEES OF THE VALENTINE FAMILY TRUST,  
COMMONLY REFERRED TO AS ASSESSOR'S PARCEL NUMBER  
027-040-12 (1164 SOUTH LOWER SACRAMENTO ROAD)

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BE IT RESOLVED by the City Council of the City of Lodi (hereinafter referred to as "City") as follows:

Section 1. The City finds and determines that public interest and necessity require the widening of Lower Sacramento Road, through the acquisition for road right-of-way purposes, an easement over the real property owned by Antonio R. Valentine and Menarda N. Valentine, Trustees of the Valentine Family Trust, commonly referred to as APN #027-040-12.

Section 2. Section 37350.5 of the California Government Code and California State Constitution, Article II, §9 authorizes the City to acquire by eminent domain property for road widening purposes (street, curb, gutter, and sidewalk improvements).

Section 3. An offer required by §7267.2 of the Government Code has been made to the owner of record of the real property sought to be taken by these eminent domain proceedings.

Section 4. The City finds and determines that the subject project has been planned and is to be located in the manner that will be most compatible with the greatest public good and the least private injury.

Section 5. The City finds and determines that the acquisition of the real property interests depicted in "Exhibit A" attached hereto, situate in the City of Lodi, County of San Joaquin, State of California, are necessary for the construction and maintenance of the aforesaid public improvements, and the taking of said real property interest is necessary therefor.

Section 6. The City has previously ratified the Negative Declaration prepared for this project per the California Code of Regulations, Title 14, Chapter 3, Article 19, §15301 showing that it has no substantial impact upon the environment and that an environmental impact report is not necessary.

Section 7. The City Attorney of the City of Lodi is hereby authorized, empowered, and directed to perform as follows:

- a. Commence an action or actions in eminent domain in the Superior Court of the State of California, County of San Joaquin, in the name of the City of Lodi to acquire necessary real property interests; and
- b. To incur in the name of the City of Lodi, and on behalf thereof, all obligations and expenses necessary to acquire the above-mentioned real property interests.

Section 8. The City Clerk of the City of Lodi is hereby directed to cause a certified copy of this Resolution to be recorded in the office of the San Joaquin County Clerk/Recorder.

Dated: February 5, 2003

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I hereby certify that Resolution No. 2003-19 was introduced and read by the City Council of the City of Lodi in a regular meeting held February 5, 2003, and was duly adopted at said meeting by a four-fifths vote as follow:

AYES: COUNCIL MEMBERS – Beckman, Hansen, Howard, Land, and Mayor Hitchcock

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – None

ABSTAIN: COUNCIL MEMBERS – None

  
\_\_\_\_\_  
Susan Hitchcock  
City of Lodi

Attest:

  
\_\_\_\_\_  
SUSAN J. BLACKSTON  
City Clerk

APPROVED AS TO FORM:

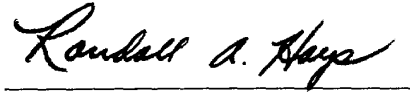
  
\_\_\_\_\_  
RANDALL A. HAYS  
City Attorney

EXHIBIT A

